In the Supreme Court of the United States

OCTOBER TERM, 1936

No. 961

THE DIXIE TERMINAL COMPANY, PETITIONER

v.

THE UNITED STATES

ON PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF CLAIMS

MEMORANDUM FOR THE RESPONDENT

The respondent joins with the petitioner in its request that a writ of certiorari herein be granted. While it is believed that the conclusion reached below is correct, the respondent agrees that the matter in controversy should be reviewed by this Court because, as stated in the petition, the question raised is of public importance and there exists a conflict between the decision of the court below and that of the Circuit Court of Appeals for the Fourth Circuit in the case of *Machen* v. *United States,* 87 F. (2d) 594 (decided January 15, 1937, petition for rehearing denied April 6, 1937).

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Accordingly, respondent, without concurring in the remaining statements of fact and law contained in the petition and supporting brief, nevertheless joins with the petitioner in requesting that a writ of certiorari be issued to the Court of Claims of the United States to review the judgment of that court in the above-entitled cause.

Respectfully submitted.

STANLEY REED,
Solicitor General.

MAY 1937.

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